

Amendment under 37 C.F.R. §1.111
Serial No. 10/500,303
Attorney Docket No. 042471

REMARKS

Claims 6, 7, and 11 will be pending in the above-identified application. Claims 6 and 7 are herein amended. It is respectfully that this Amendment is fully responsive to the Office Action dated March 23, 2007.

Claim Rejections - 35 U.S.C. §112

Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In claim 7, lines 2-3, the phrase "said nozzle moves with said base edge portion as said first edge portion and the intersection point of said side edged portions as said second edge portion" is unclear. For the purpose of examination movement of nozzle and its edge portions described on Fig 7 and page 17 is assumed.

Therefore, to expedite prosecution and clarify the subject matter of the claimed invention, we recommend amending claim 7 to recite that "said first edge portion is positioned at a front end of the nozzle in the direction of movement on the track." Please see the attached proposed listing of claims and let us know whether you agree.

Claim Rejections - 35 U.S.C. §102

Claim 6-7 were rejected under 35 U.S.C. 102(a) as anticipated by over JP-2001- 182836 (JP '836). However, we disagree with the Examiner's grounds for rejecting these claims for the reasons discussed below.

Anticipation requires the disclosure in a single prior art reference of each and EVERY element of the claimed invention, arranged as in the claim. Lindemann Maschinenfabrik GMBH v. American Hoise and Derrick Co., 221 USPQ 481, 485 (Fed. Cir 1984). However, JP '836 does not disclose a material application apparatus, *wherein the discharge port of said nozzle is parallel to the surface and is formed into an acute-angled triangle configuration having a base edge portion and a pair of side edge portions constituting two equilaterals longer than the base edge portion*. See claim 6. Instead, the discharge port 2b illustrated in Fig. 1 of JP '836 has an opening in a direction angled (i.e., NOT PARALLEL) from the surface. Also, the discharge port illustrated in Fig. 8 includes an opening in a direction angled from the surface. While the discharge port may appear to be parallel to the surface, the discharge port in Fig. 8 actually includes an opening in in a direction angled (i.e., NOT PARALLEL) from the surface. The needle of Fig. 8 is provided with a cutout 3 in a perimeter of the end portion of the needle (i.e., not at the tip portion) to form an unusually shaped cross section. Accordingly, the anticipation rejection of claims 6 and 7 should be withdrawn because the cited reference does NOT disclose each and every element of the claimed invention.

Claim Rejections - 35 U.S.C. §103

Claims 6-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over DE 4406762A1 in view of JP-2001-182836 or Bouras et al (US 5,906,682).

DE '762 lacks teaching a workpiece disposed on a base and a movement means for moving the application means and the application means including a syringe and a nozzle. JP

'836 discloses (see Figs 8-11 and Computer Translated English doc) a material application comprising an application means for applying a material to a surface of a workpiece disposed on a base, and a movement means that makes the application means perform relative displacement along a predetermined movement track on the surface so as to apply the material into a bead configuration, wherein the application means includes a syringe (see Fig 8) and a nozzle (2) being connected to the syringe and having a discharge port formed into a non-circular configuration (see paragraph 15). Bouras et al also discloses (see Fig 5) a workpiece disposed on a base and a movement means for moving the application means and the application means including a syringe (20) and a nozzle (22) connected to a syringe. It would have been obvious to include a moving application means with syringe connected to a nozzle applying material to a surface of workpiece disposed on a based to apply the desired amount of material onto the desired location of the substrate.

However, the combined teachings of the cited references do not render claims 6 and 7 obvious. For example, even if one were to combine the cited references, the resultant combination would NOT be a material application apparatus, *wherein the discharge port of said nozzle is **parallel** to the surface and is formed into an acute-angled triangle configuration having a base edge portion and a pair of side edge portions constituting two equilaterals longer than the base edge portion.* For example, none of the cited references, including JP '836, describes a non-circular nozzle that is **parallel** to the surface. Accordingly, the obviousness rejection is improper and the rejection of claims 6 and 7 should be withdrawn because the references do not

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"teach or suggest all the claim limitations," that is, all the features of the claimed invention.

MPEP 2143.

Conclusion

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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